

**In the United States Court of Federal Claims**

**No. 01-627C  
(Filed March 2, 2010)**

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**TIMBER PRODUCTS COMPANY,**

**Plaintiff,**

**v.**

**UNITED STATES OF AMERICA,**

**Defendant.**

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**ORDER**

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On March 2, 2010, a telephonic conference call was held to discuss the impact, if any, of the United States Court of Appeals for the Federal Circuit's recent decision in Precision Pine v. United States, Nos. 08-5092, -5093, 2010 WL 569733 (Fed. Cir. Feb. 19, 2010) on the instant matter. Both parties requested leave to file supplemental briefing on the effect of the Federal Circuit's Precision Pine decision. In accordance with the agreement of the parties, the Court hereby orders the following:

1. The Government shall file its list of elements and corresponding damages under clause C6.01 no longer in contention by **March 31, 2010**. No further time extensions will be granted.
2. In light of Plaintiff's expectation that a petition for rehearing en banc will be filed with the Federal Circuit in Precision Pine, the Court will await the Federal Circuit's disposition on such petition before setting a schedule for supplemental briefing in this matter.

3. Plaintiff shall file a notice to the Court and the parties advising of the Federal Circuit's disposition on the anticipated petition for rehearing en banc in Precision Pine.

s/Mary Ellen Coster Williams

**MARY ELLEN COSTER WILLIAMS**

**Judge**